

CENTRAL FAX CENTER

SEP 19 2005

FAX TRANSMISSION**DATE:** September 19, 2005**PTO IDENTIFIER:** Application Number 08/940,815
Patent Number.**Inventor:** Stevens**MESSAGE TO:** USPTO**FAX NUMBER:** (571) 273-8300**FROM:** MARSHALL, GERSTEIN & BORUN LLP

Russell C. Petersen

PHONE: (312) 474-6300**Attorney Dkt. #:** 29617/PM421A**PAGES (Including Cover Sheet):** 21**CONTENTS:** Declaration (17 pages)
Submission (2 pages)
General Transmittal (1 page)

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PTO/SB/21 (09-04)

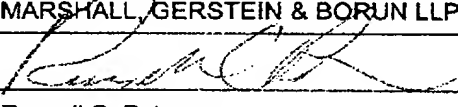
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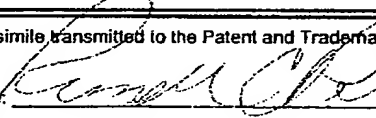
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	08/940,815-Conf. #5323
	Filing Date	September 30, 1997
	First Named Inventor	Christopher J. Stevens
	Art Unit	1734
	Examiner Name	M. C. Mayes
Total Number of Pages in This Submission	Attorney Docket Number	29617/PM421A

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Declaration Under 37 C.F.R. §1.132
<div style="border: 1px solid black; padding: 2px; min-height: 40px;">Remarks</div>		

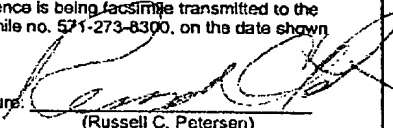
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MARSHALL GERSTEIN & BORUN LLP		
Signature			
Printed name	Russell C. Petersen		
Date	September 19, 2005	Reg. No.	53,457

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(Russell C. Petersen)

Docket No.: 29617/PM421A
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:
Christopher J. Stevens

Application No.: 08/940,815

Confirmation No.: 5323

Filed: September 30, 1997

Art Unit: 1734

For: CORRECTION TAPE DISPENSER

Examiner: M. C. Mayes

SUBMISSION OF DECLARATION UNDER 37 C.F.R. § 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

Prior to examination on the merits, please consider the attached Rule 132 declaration.

Remarks begin on page 2.

Application No. 08/940,815

Docket No.: 29617/PM421A

REMARKS

Applicant submits the attached Declaration of John C. Singlehurst under 37 C.F.R. § 1.132. This declaration explains the Information Disclosure Statement filed on August 3, 2005 with regard to Canadian Patent No. 2,091,996. As is outlined in the declaration, the Canadian Intellectual Property Office originally placed an incorrect laid open date of February 1, 1993 on the patent, but has now corrected the laid open date to be February 18, 1993. This declaration provides evidence that is specifically allowed by MPEP § 901.05(IV), page 900-10 ("An applicant is entitled to show [the foreign patent document's date is incorrect] by competent evidence, but the question seldom arises.").

In view of the attached declaration, applicant believes the pending application is in condition for allowance. If the examiner has any questions, he is invited to contact the undersigned.

Dated: September 19, 2005

Respectfully submitted,



Russell C. Petersen

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